

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL STATES, SOUTHEAST AND)
SOUTHWEST AREAS PENSION FUND, and)
HOWARD McDOUGALL, trustee,)

and)

CENTRAL STATES, SOUTHEAST AND)
SOUTHWEST AREAS HEALTH AND)
WELFARE FUND and HOWARD McDOUGALL,)
trustee,)

Plaintiffs,)

v.)

ACTIVE TRANSPORTATION COMPANY, LLC,)
a Kentucky limited liability corporation,)

Defendant.)

Case No. 08 C 228

Judge Darrah

Magistrate Judge Brown

NOTICE OF MOTION

TO: Counsel of Record Indicated on the Certificate of Service

PLEASE TAKE NOTICE that on Thursday, February 7, 2008 at the hour of 9:00 a.m., or as soon thereafter as counsel may be heard, Active Transportation Company, LLC, by its attorneys, shall appear before the Honorable Judge John W. Darrah in Room 1203 and shall then and there present the attached AGREED MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND a copy of which is attached hereto and hereby served upon you.

DATED: January 31, 2008

Respectfully submitted,
ACTIVE TRANSPORTATION COMPANY, LLC

By /s/ Meagan C. LeGear
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Meagan C. LeGear an attorney, do hereby certify that on this 31st day of January, 2008, I electronically submitted the foregoing NOTICE OF MOTION to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Rebecca K. McMahon
Attorney for Plaintiffs
9377 West Higgins Road
Rosemont, Illinois 60018-4938

_____/s/ Meagan C. LeGear